

**DISCLAIMER**

*This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).*

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 11, 2001

PETITION OF

NETWORK ACCESS SOLUTIONS L.L.C.  
and  
COVAD COMMUNICATIONS COMPANY

CASE NO. PUC010055

For Prompt Adoption of a  
Performance Assurance Plan  
Governing the Loop Provisioning  
Activities of Verizon Virginia Inc.

ORDER OF DISMISSAL

On March 8, 2001, Network Access Solutions L.L.C. ("NAS") and Covad Communications Company ("Covad") filed their Petition in the above-captioned case. Pursuant to the Preliminary Order issued by the State Corporation Commission ("Commission") in this case on April 2, 2001, Verizon Virginia Inc. ("Verizon Virginia") filed its Motion to Dismiss or, in the Alternative, Answer on April 23, 2001, and NAS and Covad filed their Opposition to Motion to Dismiss and Reply to Counterclaims on May 4, 2001.

The Commission, having considered the pleadings of the parties and having taken judicial notice of the Collaborative Committee established in Case No. PUC000026, now finds that adoption of a performance assurance plan governing Verizon Virginia's loop provisioning should first be addressed in the

context of the Collaborative Committee of which both NAS and Covad are participants.<sup>1</sup> Therefore, this case should be dismissed without prejudice.

Accordingly, IT IS ORDERED THAT:

(1) The Petition in this case is hereby dismissed without prejudice, consistent with the findings above.

(2) The case is closed and placed in the files for ended causes.

---

<sup>1</sup> On October 10, 2001, the Staff of the Commission, on behalf of the Collaborative's Subcommittee on Performance Standards/Remedy Plans, moved the Commission to establish a separately docketed proceeding to consider a performance assurance plan for Verizon Virginia. The Staff's Motion is pending in Case No. PUC010206.